

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)
)
)
v.) MJ No.: 10-MJ-01146-JGD
)
)
ROGER O'CONNOR)

MOTION TO DISMISS CRIMINAL COMPLAINT

The government, through the undersigned Assistant United States Attorney, hereby files this Motion to Dismiss the Criminal Complaint in the above captioned matter, and in support thereof states the following. Following his appearance before the Court in this matter, the defendant was remanded to the custody of the state of New Hampshire where he subsequently pled guilty and was sentenced on other charges. The plea and sentence contemplated a global resolution of the defendant's then pending state and federal charges. The defendant is currently serving his sentence. Accordingly, dismissal of the instant complaint is appropriate and in the interests of justice. Counsel for the defendant assents to this motion.

Wherefore, the United States respectfully requests that the Criminal Complaint be dismissed.

Respectfully submitted,

Carmen M. Ortiz
United States Attorney

By: /s/ Theodore B. Heinrich
Theodore B. Heinrich
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Theodore B. Heinrich
Theodore B. Heinrich
Assistant United States Attorney

Date: April 12, 2011